

Barnaby Hospitality Limited (In Liquidation)
Trading as: The Light Horse

Liquidators' First Report

1 INTRODUCTION AND APPOINTMENT

Barnaby Hospitality Limited ("the company") was placed into liquidation by a special resolution of the shareholders pursuant to Section 241(2)(a) of the Companies Act 1993 ("the Act") on 5 May 2015 at 3:00pm. Tony Leonard Maginness and Peri Micaela Finnigan, Insolvency Practitioners of Auckland, were appointed as joint and several liquidators of the company.

2 RESTRICTIONS

In preparing this report and its appendices we have relied upon information provided to us. We have not independently verified or audited that information. Whilst all care and attention has been taken in compiling this report, we do not accept any liability whatsoever to any party as a result of the circulation, publication, reproduction or use of this report.

We reserve the right (but are under no obligation) to review and, if we consider necessary, revise this report in respect of any information existing at the date of this report which becomes known to us after that date.

3 ATTACHMENTS

The following documents are attached to this report:

- Appendix 1: Statement of Affairs setting out the company's estimated financial position
- Appendix 2: Schedule of company creditors' names and addresses
- Appendix 3: Notice of Liquidators' decision to dispense with meeting of creditors
- Appendix 4: Notice to creditors to prove debts or claims
- Appendix 5: Creditors claim form

4 COMPANY STRUCTURE AND BACKGROUND

Date of incorporation:	6 August 2009
Company number:	2297647
Date ceased trading:	5 May 2015
Nature of business:	Tavern

McDONALD VAGUE LIMITED

Level 10, 52 Swanson Street, Auckland CBD
PO Box 6092, Wellesley St, Auckland 1141, New Zealand.
Telephone 09 303 0506, Facsimile 09 303 0508, insol@mvp.co.nz, www.mvp.co.nz
Member of Insol International. Consultants to the Accounting and Legal Professions.

Trading address:	60 Highbrook Drive, East Tamaki, Auckland 2013	
Trading name:	The Lighthouse	
Share capital:	100 Shares	
Shareholders:	Andrew John Clapham	} 50 Shares Jointly
	Dominion Law Trustee Company Limited	
	Kelly-Jo Seupakisi	
		50 Shares
Directors:	Andrew John Clapham	
	Kelly-Jo Seupakisi	
Related companies:		

The directors have advised that the business was unsuccessful due to historical debt generated as the result of setting up the business. This debt subsequently resulted in higher rent and running expenses for the business that it was unable to maintain. The business was closed prior to the appointment of liquidators.

5 STATEMENT OF AFFAIRS

A Statement of Affairs showing the company's estimated financial position as at the date of our appointment is provided at Appendix 1.

6 ASSETS AND PROPOSALS FOR CONDUCTING THE LIQUIDATION

We will realise all available assets. If any creditor is interested or knows of any other party who may be interested in purchasing any of the assets, please advise us urgently.

We will complete a thorough review of the company's books, records and affairs to:

- ensure that all assets have been properly accounted for,
- determine if there are any other avenues of recovery for creditors,
- determine if the company's officers have properly carried out their duties, and take appropriate steps where necessary.

If there are funds available for distribution to creditors we will verify creditors' claims and make a distribution. We will then complete the liquidation and request that the Registrar of Companies remove the company from the register.

7 LIABILITIES AND CREDITOR CLAIMS

7.1 Secured Creditors

As at the date of liquidation seventeen secured parties had registered security interests against the company on the Personal Property Securities Register.

Personal Property Securities Act / Reservation of Title

Should any creditor believe that they are entitled to any goods, or proceeds from realisation of goods, due to holding a Purchase Money Security Interest, they should contact us immediately.

If any creditor believes that they have a Reservation of Title over goods and they have not perfected their interest, they should also contact us immediately.

7.2 *Preferential Creditors*

We estimate that there is approximately \$19,000 owing to former employees for wages, holiday pay and redundancy pay.

The Inland Revenue Department has not yet provided us with a creditor's claim form but we understand that there are amounts due in respect of GST, PAYE and other payroll deductions.

7.3 *Unsecured Creditors*

From our review of the company's accounting records and other information we estimate that the amount due to unsecured creditors is in excess of \$300,000. A schedule of known creditors and their addresses is provided at Appendix 2, as required by Section 255(2)(c) of the Act.

A notice to creditors to prove debts or claims is included at Appendix 4. Also enclosed is a creditor's claim form for completion and return to this office by Friday, 19 June 2015. Creditors that have not made a claim by the date on the notice may be excluded from any distribution made. If you believe that you are a secured creditor please contact us and the appropriate form will be sent to you.

8 CREDITORS' MEETING / LIQUIDATION COMMITTEE

A notice of the Liquidators' decision to dispense with the meeting of creditors is provided at Appendix 3.

Pursuant to Section 314 of the Companies Act 1993, creditors are advised that at any time in the course of the liquidation the Liquidator shall, at the request in writing of any creditor or shareholder, call a meeting for the purpose of appointing a liquidation committee.

9 FURTHER INFORMATION

If you are aware of any information that would assist the Liquidators, please set the details out in writing, attach any supporting evidence and send it to us. Please note that the Liquidators are more able to act on written information.

If any creditor wishes to receive the six monthly reports by email as and when they are published, please ensure that an email address is provided on the attached creditor claim form. This report and all subsequent reports will be available on the Liquidators' website at www.mvp.co.nz

10 ESTIMATED DATE OF COMPLETION

It is currently too early to estimate a date of completion for the liquidation.

11 CONTACT DETAILS

Enquiries should be directed to Keaton Pronk on DDI (09) 969 1518 or by email to kpronk@mvp.co.nz.

The Liquidators can be contacted at:

McDonald Vague Limited
Level 10, 52 Swanson Street
Auckland 1010

P O Box 6092
Wellesley Street
Auckland 1141


PERI MICAELA FINNIGAN
LIQUIDATOR

DATED this 19 day of May 2015

Barnaby Hospitality Limited (In Liquidation)
Trading As The Light Horse
Statement of Affairs

Statement of Affairs for the above named company as at 5 May 2015 (being the date of liquidation) showing assets at estimated realisable values and liabilities expected to rank.

ASSETS SPECIFICALLY PLEDGED	Book Value	Due to Secured Creditor	Deficiency Ranking as Unsecured	Surplus
Sound System - Heartland Bank	8,100	35,806	(27,706)	-
Kitchen Equipment - Silver Chef Rentals	12,400	108,203	(95,803)	-
Estimated surplus / (deficiency) as regards specifically pledged assets	\$ 20,500	\$ 144,009	(\$123,509)	\$ -
ASSETS AVAILABLE FOR PREFERENTIAL CREDITORS				Estimated to Realise
Bank account balances				nil
Stock *see note 4				8,197
Total				8,197
Less preferential creditors				
Employees				19,000
Inland Revenue Department				109,594
Total				128,594
Estimated deficiency as regards preferential creditors				(\$120,397)
ASSETS AVAILABLE FOR GENERAL SECURITY AGREEMENT HOLDER/S				Estimated to Realise
Estimated surplus from assets specifically pledged				-
Furniture				1,000
Fixtures and Fittings				1,000
Total				1,000
LESS GENERAL SECURITY AGREEMENT HOLDER/S				
Independant Liquor				300,000
BNZ				205,591
Total				505,591
Estimated deficiency as regards General Security Agreement holders				(\$504,591)
Less deficiency as regards preferential creditors				120,397
Deficiency ranking as unsecured				(624,987)
AVAILABLE FOR UNSECURED CREDITORS				-
LESS UNSECURED CREDITORS				
Estimated deficiency as regards Secured Creditors				123,509
Estimated deficiency as regards General Security Agreement holders				504,591
Estimated deficiency as regards preferential creditors				624,987
Trade creditors				300,000
Estimated surplus/(deficiency) as regards unsecured creditors				(\$1,553,087)

Notes:

- The above estimates are subject to the costs of the liquidation.
- Assets held may be subject to Purchase Money Security Interest ("PMSI") or Reservation of Title claims.
- The General Security Agreement holder's claim will continue to accrue interest until fully paid. [leave in if applicable]
- Total stock is recorded as \$18,790 in the financial statements, PMSI creditor claims to date total \$8,592.62 from the company records. Some stock has been lost due to spoilage. There may be further stock subject to PMSI or Reservation of Title claims.

Disclaimer of Liability:

The information contained in the Statement of Affairs has been supplied by the company. We have not verified the information supplied. The Statement of Affairs has been prepared for the purpose of the liquidation and we do not accept any responsibility on any grounds whatsoever, including liability in negligence, to any party.

Barnaby Hospitality Limited (In Liquidation)

Schedule of Creditors' Names and Addresses

Pursuant to Section 255(2)(c) of the Companies Act 1993

Creditor Names	Address 1	Address 2	Address 3
72 DPI Limited	P O Box 1089	Pukekohe	AUCKLAND
Accident Compensation Corporation	P O Box 3248	WELLINGTON 6140	
Advaro Funding Limited	P O Box 1061	Shortland Street	AUCKLAND 1140
Allied Liquor	P O Box 76 205	Manukau	AUCKLAND 2241
Allpress	P O Box 90 069	Victoria Street West	AUCKLAND 1142
AlSCO NZ	368 New North Road	Kingsland	AUCKLAND
Amugoda Kankanange Don Sampath Samaranayaka			
Andrew John Clapham	48 Allendale Road	Mount Albert	AUCKLAND 1025
Ashish Nandwani	21 Haven Drive	EAST TAMAKI	
Ashley			
Associated Cash Registers Limited	16 - 20 New North Road	Kingsland	AUCKLAND 1021
Bank of New Zealand	Lending Services	Private Bag 92 089	AUCKLAND 1142
Bevinco	P O Box 34	Westpark Village	AUCKLAND
Bidvest Foodservices Auckland	1st Floor, 1 Marewa Road	Greenlane	AUCKLAND 1024
BOC Limited	P O Box 11 161	Sockburn	CHRISTCHURCH 8030
Boundary Road Brewery Limited	P O Box 72 148	AUCKLAND	
Brookfields Lawyers	P O Box 240	AUCKLAND 1140	
Budding Ideas	P O Box 151 219	New Lynn	AUCKLAND 0600
Carlton Party Hire	P O Box 259 165	Botany	AUCKLAND 2163
Cartridge World Botany Downs Limited	301J Botany Road	Howick	AUCKLAND
Choice Catering Equipment Limited	P O Box 51 466	Pakuranga	AUCKLAND
Circle International Trading Limited	P O Box 33 732	Takapuna	AUCKLAND
Cloud Production Limited	P O Box 44 018	Lower Hutt	WELLINGTON 5040
Coca Cola Amatil (NZ) Limited	Private Bag 14 916	Panmure	AUCKLAND 1741

Appendix 2

Dilmah NZ Limited	P O Box 58 095	Botany	AUCKLAND 2163
Dominion Law	Barristers & Solicitors	P O Box 56 545, Kingsland	AUCKLAND 1146
Dominion Law Trustee Company Limited	P O Box 56 545	Kingsland	AUCKLAND 1146
Don			
Eastlife 2015	P O Box 259 243	Botany	AUCKLAND 2163
Edge Electrical Services Limited	P O Box 230 025	Botany	AUCKLAND 2163
EFTPlus NZ Limited	Level 13, 175 Queen Street	AUCKLAND 1010	
Eurovintage Limited	P O Box 99 192	Newmarket	AUCKLAND 1149
Eurowine Fine Wines (1990) Limited	P O Box 13 260	Johnsonville	WELLINGTON
Farm Cove Butchery	P O Box 51 669	Pakuranga	AUCKLAND 2140
Filter & Flue Cleaning	26A Williamson Avenue	Ponsonby	AUCKLAND 1021
Fisher House Limited	117 Kerwyn Avenue	Highbrook	AUCKLAND 2013
Fridgrite of Hawaii (NZ) Limited	22A Kalmia Street	Ellerslie	AUCKLAND 1051
Gameford Lodge 2009 Limited	12 Park Street	Thorndon	WELLINGTON
Ginellis & Sons Limited	P O Box 18 244	Glen Innes	AUCKLAND 1743
Glengarry Hancocks Limited	PO Box 47 191	Ponsonby	AUCKLAND
Goodman Fielder NZ Limited	P O Box 90 450	Victoria Street West	AUCKLAND 1142
Green Air Limited	140 Williamson Avenue	Grey Lynn	AUCKLAND 1021
Hancock's	P O Box 47 191	Ponsonby	AUCKLAND
Heartland Bank Limited	75 Riccarton Road	Riccarton	CHRISTCHURCH
Helen			
Highbrook Development Limited	C/- Goodman Property Services (NZ) Limited	Level 28, 151 Queen Street	AUCKLAND
Hobson Liquor Group Limited	P O Box 5039	Wellesley Street	AUCKLAND
Hygiene Systems Limited	15 Canaveral Drive	Rosedale	AUCKLAND 0632
Independent Cellar Services Limited	P O Box 38 905	Howick	AUCKLAND
Independent Liquor (NZ) Limited	P O Box 72 148	AUCKLAND	
Inland Revenue Department	P O Box 39 010	Wellington Mail Centre	LOWER HUTT 5045
Jam 04 Limited	48 Allendale Road	Mount Albert	AUCKLAND 1025
Jam 11 Limited	T/As: Trident Tavern	69 Selwyn Street, Onehunga	AUCKLAND 1061
James Tuitupou			
Jericho Muaiava			

Appendix 2

Kahurangi Estate Limited	4 Sunrise Road	Upper Moutere	NELSON
Kelly-Jo Seupakisi	13 Lisleton Drive	East Tamaki	AUCKLAND 2013
KordaMentha	Chartered Accountants	P O Box 982	AUCKLAND 1140
Korupak Limited	P O Box 18 057	Glen Innes	AUCKLAND
Ladycare Services Limited	386 Neilson Street	Onehunga	AUCKLAND 1061
Lamp Specialists Limited	35c Maurice Road	Penrose	AUCKLAND
Licensing Solutions Limited	P O Box 44 337	PT CHEVALIER 1246	
Loaf Limited	P O Box 55 125	Eastringe	AUCKLAND 1146
Matrix Security Group Limited	8 Rockridge Avenue	Penrose	AUCKLAND 2013
Mercury Energy Limited	Private Bag 92 008	Victoria Street West	AUCKLAND 1142
Metcash Trading Limited	P O Box 76 206	Manukau	AUCKLAND 2241
Mintglass Limited	19a Ra Ora Drive	Highbrook	AUCKLAND
Mitchel			
Mr Chips Limited	P O Box 22 546	OTAHUHU 1640	
Nambukarawasan Lekamwatte Don Nishantha	2/218 Pakuranga Road	PAKURANGA	
Ariyawansa			
Nicole			
Nishan			
Nova Energy Limited	P O Box 404	WHAKATANE 3158	
Nu-Lite Illuminated Signs Limited	P O Box 28 876	Remuera	AUCKLAND 1541
NZ Global Link Hospitality Limited	P O Box 259 290	Botany	AUCKLAND
OfficeMax			
One Music	P O Box 6315	Wellesley Street	AUCKLAND 1141
Paymark Limited	P O Box 799	AUCKLAND 1140	
Peter Evans			
Preston Group Limited	T/As: Mills Reef Winery	P O Box 2247, Seventh Avenue	TAURANGA 3140
Preston Group Limited	P O Box 2247	Bethlehem	TAURANGA
Quality Foods			
Quest Marketing Limited	P O Box 99 402	Newmarket	AUCKLAND 1141
Rani			
Red + White Cellar	Level 13, 175 Queen Street	205 Great North Road, Grey Lynn	AUCKLAND
Rentokil Initial Limited			

Appendix 2

Ricky Bannister	487 New North Road	AUCKLAND	CHRISTCHURCH
Roasted Addiqtion	P O Box 36 163	Merivale	
Ryan Security & Consulting	414 East Tamaki Road	EAST TAMAKI	
Sarabjit Singh Sabba			
Seek (NZ) Limited	4 Lockhart Place	Mt Wellington	AUCKLAND 1072
Sharp Multi-Media Production Limited	22 Putiki Street	Grey Lynn	AUCKLAND
Signcraft (1989) Limited	P O Box 176C	Brisbane	AUSTRALIA
Silver Chef Rentals Limited	P O Box 71	Bay View	NAPIER
Simply Squeezed			
Soho Studio Limited	P O Box 202 134, Southgate	Takanini	AUCKLAND 2206
Sous Chef	P O Box 4570	Shortland Street	AUCKLAND
Southern Hospitality Limited	C/- Lovegroves	11 Polygon Road, St Heliers	AUCKLAND 1071
Street Flowers Limited	58 Mahia Road	Manurewa	AUCKLAND 2102
Sudserella			
Tanya Sharma			
Tashlyn Solomon			
The Pro			
The Produce Company Limited	25 Hannigan Drive	St Johns	AUCKLAND
Times Newspapers Limited	P O Box 259 243	Botany	AUCKLAND 2163
United Printing Limited	8 Earl Richardson Avenue	MANUKAU 2104	
Villa Maria Estate	P O Box 43 046	Mangere	AUCKLAND
Vodafone New Zealand Limited	Private Bag 92 143	AUCKLAND 1142	
Watercare Services Limited	Private Bag 94 010	MANUKAU 2241	
Wheeliebins Limited	37 Haven Crescent	Somerville	AUCKLAND 2014
Wild Wheat Limited	P O Box 258 006	Botany	AUCKLAND 2163
William Buck Christmas Gouwland Limited	P O Box 106 090	AUCKLAND 1143	
Workz4u	12-18 Seddon Street	Pukekohe	AUCKLAND
Yellow Group Limited	P O Box 17 345	Greenlane	AUCKLAND

Notice of Liquidators' Decision to Dispense with Meeting of Creditors

After having regard to the assets and liabilities of Barnaby Hospitality Limited (In Liquidation) and the likely result of the liquidation, it is proposed to dispense with a meeting of creditors pursuant to Section 245 of the Companies Act 1993.

We do not, however, wish to preclude creditors from expressing their views. Please contact Keaton Pronk of this office on DDI (09) 969 1518 if you have any specific enquiries.

You are advised that should you desire a creditor's meeting, notice in writing is required within 10 working days of receiving this notice.

At the time of giving notice you must also state the reason you require a meeting so that an agenda can be prepared and advertised and creditors can be given the opportunity to vote on any issue by voting letter.



PERI M FINNIGAN
LIQUIDATOR

DATED this 19 day of May 2015

IN THE MATTER of The Companies Act 1993

and

IN THE MATTER of Barnaby Hospitality Limited (In Liquidation)
Trading as: The Light Horse

Notice to Creditors to Prove Debts or Claims

Notice is hereby given that the undersigned, the liquidator of Barnaby Hospitality Limited (In Liquidation) ("the company"), does hereby fix Friday, the 19th day of June 2015, as the day on or before which the company's creditors are to make their claims, and to establish any priority their claims may have under Section 312 of the Companies Act 1993. Creditors not having made a claim by this date may be excluded from any distribution made.


PERI M FINNIGAN
LIQUIDATOR

DATED this 19 day of May 2015

ADDRESS OF LIQUIDATOR

McDonald Vague Limited
Level 10, 52 Swanson Street
Auckland 1010

PO Box 6092
Wellesley Street
AUCKLAND 1141

Telephone: (09) 303 0506
Facsimile: (09) 303 0508
Website: www.mvp.co.nz

DATE OF LIQUIDATION: 5 May 2015

Unsecured Creditor's Claim

(Also for use by Preferential Creditors)

SECTION 304(1) COMPANIES ACT 1993
(For help see www.mvp.co.nz or email
claims@mvp.co.nz)

NAME AND POSTAL ADDRESS OF CREDITOR IN FULL

Telephone Numbers: ()
()

E-Mail

My Reference is:
(if applicable)

* Any personal information collected is for the purpose of administering the liquidation in accordance with the Companies Act 1993.

The information will be used and retained by the liquidators and McDonald Vague and will be released to other parties only with your authorisation or in compliance with the Privacy Act 1993.

Under Section 304(1) of the Companies Act 1993 any claim by an unsecured creditor against a company in liquidation must be in this prescribed form and must –
(a) Contain full particulars of the claim; and
(b) Identify any documents that evidence or substantiate the claim.

You may have access to and request correction of any personal information.

(*Not applicable, if creditor is not an individual within the meaning of the Privacy Act 1993.)

NAME OF COMPANY IN LIQUIDATION:

(IN LIQUIDATION)

I _____
(If claim is made on behalf of creditor, specify relationship to creditor and authority)
claim that the company was at the date it was put into liquidation indebted to the abovenamed creditor for the sum of (Amount in words):

STATUS OF CLAIM:

- I am an unsecured creditor for**
(Also applicable to secured creditors who hereby surrender their security)
- I am a preferential creditor for**
(Refer details on reverse)
- My total claim is for**
(State currency if other than \$NZ)

\$

\$

NZ \$

- I have claimed retention/reservation of title rights pursuant to rights held by me

Note: If you are a secured creditor contact this office and a Secured Creditors Claim Form will be sent to you. Tick if Applicable ☐ (Refer details on reverse)

Full particulars of the claim are set out, and any supporting documents that substantiate the claim, are identified on the reverse of this form.

(The liquidator may require the production of a document under Section 304(2) of the Companies Act 1993. You are **not required to attach any supporting documents** at this stage, but you may attach them now, if you think it would expedite the processing of the claim.)

SIGNED:

Date: / /

WARNING —

It is an offence under Section 304(6) of the Companies Act 1993 to –
Make or authorise the making of, a claim that is false or misleading in a material particular knowing it to be false or misleading; or
Omit, or authorise the omission from a claim of any matter knowing that the omission makes the claim false or misleading in a material particular.Received
(Date Stamp)

RESERVED FOR OFFICE USE:

Claim admitted/rejected
for voting purposes:
(Delete one)

Signed:

Date: / /

Preferential Claim for:

Ordinary Claim for:

CLAIM REJECTED
FOR PAYMENT:

\$

\$

or
CLAIM ADMITTED
FOR PAYMENT:

\$

\$

Signed
Liquidator:

Date: / /

Note: If the decision to admit or reject a claim is amended, regulation 8 of the Companies Act 1993 Liquidation Regulations 1994 requires that it be recorded in writing.



The Insolvency & Business Recovery Specialists

McDONALD VAGUE LIMITED

PO Box 6092, Wellesley St, Auckland 1141, New Zealand.
Telephone 0-9-303 0506, Facsimile 0-9-303 0508

Particulars of Claim

If the creditor owes money to the company, please give full details.

Date	Details of Claim and Identification of Documents that Evidence or Substantiate the Claim	Amount \$

CLAIMS AGAINST INVENTORY (Romalpa Claims)(Consignment Goods) (Retention of Title) etc.

Please provide details of the basis of the retention of title claim filed by you and/or details of entry on the Personal Property Securities Register.

PREFERENTIAL CLAIMANTS ONLY

Guideline

The Seventh Schedule of the Companies Act 1993 sets out those claims which are regarded as preferential and shows their extent and order of priority. For example, wages and salary of any employee in respect of services rendered to the company during the four months preceding the commencement of liquidation are preferential AND the total sum to which priority is to be given in the case of any one employee for wages, holiday pay, deductions, redundancy and child support must not exceed \$20,340 or such greater amount as is prescribed at the commencement of the liquidation.

1. Why do you believe you are a preferential creditor?
(eg. employee, GST, etc) _____
2. Details of your claim: _____

If applicable please record here your GST Registration number: _____
and total GST included in your tax invoice: \$ _____